

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE K.K.DENESAN**

**MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928**

**WP(C).No. 27152 of 2006(G)**  
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**PETITIONER:**  
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**M.K.DAS, DAILY RATED TRACTOR DRIVER  
(NOW TERMINATED FROM SERVICE), POOTHRIKKA  
GRAMA PANCHAYAT, PUTHENCRUZ, ERNAKULAM DISTRICT.**

**BY ADV. SRI.P.SANTHOSH KUMAR (TR)**

**RESPONDENTS:**  
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- 1. POOTHRIKKA GRAMA PANCHAYAT  
REPRESENTED BY ITS SECRETARY, POOTHRIKKA,  
ERNAKULAM DISTRICT.**
- 2. THE SECRETARY, POOTHRIKKA GRAMA  
PANCHAYAT.**

**BY ADV. SRI.NIREESH MATHEW  
BY GOVT.PLEADER SRI. P. NANDAKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 19/02/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

- EXT.P1: COPY OF THE JUDGMENT DTD. 12/07/06 IN WP(C) NO. 27676/04.
- EXT.P2: COPY OF THE NOTICE NO.A1-101/2006 DTD. 14/07/2006 FROM THE 2ND RESPONDENT.
- EXT.P3: COPY OF REPLY DTD. 21/07/06 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.
- EXT.P4: COPY OF THE COMMUNICATION/NOTICE DTD. 2/08/06 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.
- EXT.P5: COPY OF THE REPRESENTATION DTD. 17/08/06 FROM THE PETITIONER TO THE 2ND RESPONDENT.

EXT.P6 SERIES:

- EXT.P6(A): COPY OF THE CERTIFICATE DTD. 18/07/06 ISSUED BY ONE SRI.SUNNY V. TO THE PETITIONER.
- EXT.P6(B): .....DO..... ISSUED BY SRI. BENNY N.V.
- EXT.P6(C): .....DO..... ISSUED BY SRI. M.S.MADHAVA WARRIER.

/TRUE COPY/

**Kss**

**K.K.DENESAN, J**

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**W.P.(C)NO.27152 of 2006**  
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**Dated this the 19<sup>th</sup> day of February, 2007**

**JUDGMENT**

The service of the petitioner stands terminated based on the order passed by the second respondent. It is seen that he had been working as a Daily Rated Tractor Driver in the first respondent Panchayat. The grievance of the petitioner is that the enquiry being conducted into the allegations made against him is unnecessarily dragged on and he is not in a position to seek reliefs against the action of the respondents in keeping him out of service.

2. Standing Counsel for the respondents submits that an Enquiry Officer has been appointed, that the parties have entered appearance through counsel and that expeditious steps are taken to see that the enquiry will be finalised as early as possible. According to the standing counsel, three or four month's time may be required to complete the enquiry. Counsel for the

petitioner submits that the petitioner is prepared to co-operate with the Enquiry Officer and that the time suggested by the counsel for the petitioner may not be required for completion of the enquiry.

2. In the circumstances, I am inclined to dispose of the writ petition directing the respondents to see that the disciplinary proceedings pending against the petitioner shall be finalised within three months from the date of receipt of a copy of this judgment. I make it clear that not only orders in the enquiry proceedings but also orders in the disciplinary proceedings shall be passed within the aforesaid time limit.

**K.K.DENESAN, JUDGE**

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